

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BRIAN ROBERTSON,

Petitioner,

v.

No. 1:22-cv-01206-JDB-atc

UNITED STATES OF AMERICA,

Respondent.

ORDER TRANSFERRING CASE

The Petitioner, Brian Robertson, filed a letter in his criminal case complaining that the Federal Bureau of Prisons failed to apply all “jail time” to his federal sentence. (*United States v. Robertson*, No. 1:15-cr-10018-JDB-11 (W.D. Tenn.), Docket Entry (“D.E.”) 689.) The Court construed the letter as a 28 U.S.C. § 2241 habeas corpus petition and directed the Clerk to open the present case and file the letter as the case-initiating pleading (the “Petition”). (*Id.*, D.E. 692.) The Petition is now before the Court for preliminary review. *See* 28 U.S.C. § 2243; *Harper v. Thoms*, 51 F. App’x 517, 518 (6th Cir. 2002).

A § 2241 petition must be brought against the prisoner’s custodian in the district in which the custodian is located. *Pierce v. United States*, No. 3:12-0121, 2012 WL 1900921, at *2 n.2 (M.D. Tenn. May 24, 2012) (citing *Sutton v. United States*, 172 F.3d 873 (6th Cir. 1998)). Petitioner is currently imprisoned at USP Canaan, which is located in the Middle District of Pennsylvania. *See* 28 U.S.C. § 118(b); www.bop.gov/locations/institutions/caa/ (last visited Mar. 3, 2023). This case is therefore TRANSFERRED forthwith to the district court for the Middle District of Pennsylvania.

The Clerk is DIRECTED to close this case without entry of judgment. The Clerk is further directed not to file any documents in this closed case. Any documents received from Petitioner should be forwarded to the transferee court or returned to the inmate, as appropriate.

IT IS SO ORDERED this 3rd day of March 2023.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE